

# **SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA**

## **LANGUAGE ACCESS STRATEGIC PLAN**

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*Effective January 1, 2009*  
(Annual Evaluation Due: January 1, 2010)

### **I. Mission of the Superior Court of California, County of Alameda**

Our mission is to provide fair, efficient, effective, and timely administration of justice by resolving disputes under the law, applying the law consistently, impartially, and independently, and instilling greater public trust and confidence in our system of justice. The Superior Court's 85 judicial officers in 15 court locations strive to provide meaningful access to justice for all in Alameda County, the seventh largest county in California with a growing and culturally diverse population of over 1.4 million people. We seek to implement a continuum of language access services from the threshold of the courthouse to the courtroom. A coherent and comprehensive language access plan will increase access and fairness to all, increase public trust and confidence in the courts, and improve the quality of justice and service to the public in Alameda County.

### **II. Legal Basis and Purpose of the Plan**

This document serves as our plan to provide language assistance to persons with Limited English Proficiency (LEP) in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101–42.112).

This language access plan was developed to ensure meaningful access to court services for persons with Limited English Proficiency (LEP) as well as those persons who require accommodation to communicate with court staff. Under the Americans with Disabilities Act, court interpreters are provided for persons with a hearing loss.

The Court's language access plan contains the following:

- How to identify individuals who need language assistance and the languages they speak;
- Language assistance measures provided by the Court;
- Training that staff receives regarding relevant policies and procedures;
- What notice is provided to the public regarding available services; and
- The process for monitoring and updating the language access plan.

### **III. Need for Language Assistance**

According to census data, nearly 42 percent of our County's population over the age of five speak a language other than English at home. Similarly, over 19 percent of people over the age of five stated that they speak English less than "very well."<sup>1</sup> According to court records, the top

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<sup>1</sup> <http://factfinder.census.gov> – Information based on 2006 census information and accessed on 9/13/2008.

nine languages in order of their frequency:<sup>2</sup>

1. Spanish
2. American Sign Language (ASL)
3. Mandarin
4. Cantonese
5. Vietnamese
6. Punjabi
7. Cambodian
8. Korean
9. Arabic

#### **IV. Language Assistance Resources in the Courtroom**

##### **1. Providing Interpreters**

Providing spoken-language interpreters in court proceedings is based in whole or in part on statutory and case law. Interpreters are required and provided at no cost to:

- Litigants and witnesses in criminal hearings and trials; and
- Litigants and witnesses in juvenile hearings.

Depending on available funding, a court interpreter *may* be provided at no cost for:

- Litigants and witnesses in hearings involving domestic violence, elder abuse, family law, and child support cases, to the extent that funding is provided; and,
- Litigants who need assistance when using family court services, to the extent that funding is provided; and
- Small claims proceedings pursuant to court order.

Every effort is made to provide an interpreter in these proceedings based on constitutional and statutory requirements. However, given the chronic shortage of certified court interpreters in Alameda County and throughout California, the Court cannot always provide interpreters for non-criminal proceedings. If an interpreter is sought by a litigant for a non-criminal proceeding and court funding is not available, the cost may be transferred to the litigant.

##### **2. Identifying the Need for an Interpreter**

The need for a court interpreter may be identified prior to a court proceeding by the litigant or by clerk's office staff, self-help center staff, family court services, or courtroom staff. California's Standards of Judicial Administration offer guidance to judges as to when an interpreter may be needed. Please see Appendix 1 for more information.

##### **3. Court Interpreter Qualifications and Statewide Roster**

Court interpreters are hired in compliance with the rules and policies set forth by Government Code section 68561 and California Rules of Court, rule 2.893 (Criminal and Juvenile Delinquency Proceedings). The Administrative Office of the Courts (AOC) maintains a

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<sup>2</sup> Financial Reports for the Superior Court, County of Alameda, Fiscal Year 2006-2007.

statewide roster of certified and registered interpreters who may work in the courts. This roster is available to court staff and the public on the Internet at [www.courtinfo.ca.gov/programs/courtinterpreters/master.htm](http://www.courtinfo.ca.gov/programs/courtinterpreters/master.htm).

## **V. Language Services Outside the Courtroom**

Providing language services outside the courtroom entails daily interactions between court staff and court users. To that end, the Court has developed and assembled a number of resources to assist court users throughout their court experience. These resources are detailed below:

### **1. Bilingual Services**

The two most common points of service outside the courtroom are at the clerk's office counters and self-help centers. The Court strives to provide bilingual assistance at public counters through bilingual staff and the use of Language Line interpreter services. Similarly, the Court's self-help center seeks to recruit and employ bilingual employees and volunteers to provide self-represented litigants with assistance in understanding court processes and completing necessary forms. Court services include:

- Trained bilingual court employees from throughout the Court speak the following languages: Cantonese, Mandarin, Spanish, Tagalog, and Vietnamese;
- Bilingual Court Information Volunteer Officers serve at Information Desks at various court facilities and can provide information to the public in Spanish, Cantonese, and Tagalog;
- Bilingual legal dictionaries in Spanish/English and Chinese/English are provided to bilingual court staff who interact regularly with the public;
- Court interpreters services;
- Bilingual legal workshops in Spanish as well as joint workshops between self-help center staff and community service providers; and,
- "I Speak" cards, to help court staff identify someone's primary language.

### **2. Language Line and Telephonic Assistance**

When staff are unable to communicate with court users directly, there are other language assistance options available in the Court.

- Language Line interpreter services in 170 languages at the clerk's office, self-help centers, and elsewhere throughout the Court;
- A telephone system that can accommodate options in multiple languages to assist LEP court users; and
- A telephone line with instructions provided in Spanish to request services in the self-help center and Family Law Facilitator's Office.

### **3. Multilingual Signage**

To improve way-finding for all court users, the Court is working to implement more accessible signage in all facilities.

- Multilingual signage at the Hayward Hall of Justice in English, Chinese, and Spanish, as well as international symbols to assist court users unfamiliar with those languages;

- Court holiday closure notification posted at all court entrances in nine languages; and
- Multilingual signage plan to implement effective signage in all court facilities throughout the Superior Court.

#### **4. Translated Forms and Documents**

The Court uses Judicial Council forms and instructional materials translated into commonly used languages. Written informational materials and instructions in multiple languages are available at the self-help center, information desks, and other locations throughout the Court. The self-help center and Family Law Facilitator's Office are working in-house to translate all instructional handouts into Spanish.

- These translated forms are available to the public at [www.courtinfo.ca.gov/selfhelp/languages](http://www.courtinfo.ca.gov/selfhelp/languages) as well as at the Court's self-help center;
- The Court also has access to instructional materials that have been translated by other courts at [www.courtinfo.ca.gov/programs/equalaccess/trans.htm](http://www.courtinfo.ca.gov/programs/equalaccess/trans.htm).

Please see Appendix 2 for an illustrative list of translated documents regularly available.

#### **VI. Court Staff and Volunteer Recruitment**

The Court is an equal opportunity employer and seeks to recruit and hire bilingual professional and volunteer staff to better serve the community. Professional recruitments are targeted for specific bilingual functional areas which include, but are not limited to:

- Court interpreters;
- Clerk's offices; and
- Self-help centers, Family Law Facilitator's offices, and Child Custody Mediators.

Bilingual volunteers are also recruited to work with the public throughout most of the court facilities in Alameda County. Both JusticeCorps and the Court Information Volunteer Officer Program consistently seek qualified volunteers to assist the public. Many of the Court's regular volunteers speak Spanish, Cantonese, Mandarin, and Tagalog to better assist with language access in the following locations:

- Information Desks located near the entrances of each of the main court facilities throughout Alameda County; and
- Self-help centers located in Oakland, Hayward, and Pleasanton.

#### **VII. Training and Staff Procedures**

The Court is committed to providing training opportunities for staff. Training and learning opportunities will be expanded, continued, or altered where appropriate. Recent and planned training opportunities, subject to the availability of grant funding and court resources, include:

- Cross Cultural Communication training; and
- Bilingual employee training.

### **VIII. Education and Public Outreach**

The Court is committed to informing and educating the public and raising awareness of available services to all members of the community. For example, the Court recently published a Spanish-language resource guide and announcement, conducted community outreach to Vietnamese-American social service organizations, publicized self-help services in the Chinese-speaking communities in Oakland, and sent staff to speak about available services on a local Spanish-language radio program. These efforts are made to strengthen the connection between the Court and community. Judicial officers and court staff volunteer their time to speak to schools and community-based organizations throughout the county. The Court solicits input from relevant communities and representatives through the Access and Fairness Committee, the Language Access subcommittee, and the Community Focused Court Planning Committee and seeks to inform community service organizations on how individuals can better access court services.

### **IX. Next Steps**

This language access plan will serve as a guide to develop an action plan to implement, improve, and develop relevant and cohesive language access initiatives in the Court. For example, procedural guidelines for court staff regarding communication with Limited English Proficient court users should be developed to improve language access in the Court. Based on the information detailed in this plan as well as the proposed action plan, the Court will be able to better prioritize and seek funding for language access programming for court users throughout Alameda County.

### **X. Evaluation of Language Access Plan**

The Court will conduct an annual needs assessment to determine whether changes to the Language Access plan are required. The plan may be changed or updated at any time but will be reviewed annually. Any revisions made to the plan will be communicated to all court personnel and an updated version of the plan will be posted on the Court's website at [www.alameda.courts.ca.gov/courts/](http://www.alameda.courts.ca.gov/courts/).

The evaluation will include identification of any problem areas and development of corrective action strategies. Elements of the evaluation should include:

- Number of persons requesting court interpreters and language assistance;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Solicitation and review of feedback from communities within the county;
- Assessment of whether court staff adequately understand language access and LEP policies and procedures and how to implement them for the benefit of court users;
- Any new programs or projects that impact language access in the court; and,
- Review of feedback from court employee training sessions.

**1. Language Access Plan Coordinators:**

The following contacts have been designated to lead and assist with evaluations of the LEP plan, provide consistent reporting to the judicial committees as required, and reply to questions regarding the LEP plan and language access issues throughout the Court:

**Trial Court Language Access Coordinator:**

Claudia Jackson  
Court Services Manager  
Juvenile Justice Center  
2500 Fairmont Drive  
San Leandro, CA 94578  
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**AOC LEP Plan Coordinator:**

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**XI. Acknowledgements**

The Superior Court of California, County of Alameda acknowledges the State Justice Institute, the Court Interpreter Program (and specifically, Ms. Katrin Johnson) of the Minnesota Office of the Courts, and the Judicial Council of California – Administrative Office of the Courts for their invaluable assistance in developing a language access plan.

## **APPENDIX 1**

### **CALIFORNIA STANDARDS OF JUDICIAL ADMINISTRATION SECTION 2.10**

Section 2.10 provides that an “interpreter is needed if, after an examination of the party or a witness, the court concludes that: (1) the party cannot understand and speak English well enough to participate fully in the proceedings and to assist counsel, or (2) the witness cannot speak English so as to be understood directly by counsel, court, and jury.” These standards state that the court may examine the party or witness “on the record to determine whether an interpreter is needed if: (1) a party or counsel requests such examination or (2) it appears to the court that the person may not understand or speak English well enough to participate fully in the proceedings.”

To determine if an interpreter is needed, standard 2.10(c) provides that “the court should normally ask questions on the following: (1) identification (for example: name, address, birth date, age, place of birth); (2) active vocabulary in vernacular English (for example: ‘How did you come to the court today?’ ‘What kind of work do you do?’ ‘Where did you go to school?’ ‘What was the highest grade you completed?’ ‘Describe what you see in the courtroom.’ ‘What have you eaten today?’) – questions should be phrased to avoid ‘yes’ or ‘no’ replies; (3) the court proceedings (for example: the nature of the charge or the type of case before the court), the purpose of the proceedings and function of the court, the rights of a party or criminal defendant, and the responsibilities of a witness.”

Standard 2.10(d) calls on the court to state its conclusion on the record regarding the need for an interpreter. “The file in the case should be clearly marked and data entered electronically when appropriate by court personnel to ensure that an interpreter will be present when needed in any subsequent proceeding.”

**APPENDIX 2**

**ALAMEDA SUPERIOR COURT BILINGUAL COURT FORMS  
AND INFORMATION INDEX**

*Created January 4, 2008*

**Spanish Reference Materials:**

- Reference Guide for the Office of the Family Law Facilitator
  - Guia de Referencia Breve Sobre Las Oficinas del Facilitador del Tribunal de Familia en California
- Essential Information about Child Support from Incarcerated Fathers
  - Informacion Fundamental sobre manutencion de Menores para Padres Encarcelados
- How Do I Get a Compliance Order for Child Support?
  - Que se puede hacer para hacer cumplir la orden de mantenimiento de mi hijo?
- Instructions for Completing Your Petition
  - Instrucciones para achivar su peticion
- Guardianship Pamphlet – For Guardianships of Children in the Probate Court
  - Folleto de la Tutelo
- Emancipation Pamphlet – Basic Information on Emancipation Procedures
  - Folleto de Emancipacion
- Bay Area Legal Aid: Free Legal Assistance for Low Income People – Legal Aid and Legal Advice Line
  - Bay Area Legal Aid: Asistencia Legal Gratuita para Personas de Bajo Ingresos, Servicios Legales de la Bahia
- East Bay Community Law Center: Community Legal Access Service Site (CLASS) Self-Help Center Informational Flyer
  - Centro Comunitario Legal del Este de la Bahia: Servicio Comunitario de Acceso Legal (CLASS) Centro de Auto-Ayuda Informacion
- Alameda County Public Health Department: Domestic Violence Resource Guide
  - Guia de Recursos de Violencia Domestica para el Condado de Alameda
- Family Law Violence Center – Resources and Information in Alameda County
- California Department of Consumer Affairs: Top 10 Tips for Identity Theft Protection
- California Department of Consumer Affairs: Identity Theft Victim Checklist
- California Department of Consumer Affairs: Requesting Information on Fraudulent Accounts
- Alameda County Family Justice Center Informational Brochure
- Family Law Help Center Spanish-Language Clinic Announcement
- Spanish-Language Family Law Clinic at the WWM Self-Help Center Announcement

**Spanish Forms:**

- Income and Expense Declaration, Form FL-150 (Instructions and example)
  - Declaration de Ingresos y Gastos (Instrucciones y ejemplo)

**Informational Brochures from the California Bar Association**

([www.calbar.ca.gov/state/calbar/calbar\\_generic.jsp?cid=10581](http://www.calbar.ca.gov/state/calbar/calbar_generic.jsp?cid=10581)). Available in English and Spanish, as well as other languages as noted:

- What Should I Know if I am Arrested?
- Can the Law Protect Me from Domestic Violence?
- Do I Need a Will? (Also available in Chinese)
- Do I Need Estate Planning? (Also available in Chinese)



- What Can I Do if I Cannot Pay My Debts? (Also available in Chinese)
- What can a Lawyer Referral Service Do For Me?
- Do I Need a Living Trust?
- How Do I Use the Small Claims Court?
- What Should I Know About Divorce and Custody?
- How Can I Find and Hire the Right Lawyer?
- What Should I Know About Hate Crimes?
- What Should I Know About Elder Abuse? (Also available in Chinese)
- What Are My Rights as an Employee?
- What Should I Do If I am a Crime Victim? (Also available in Korean)
- What Can I Do If I Have a Problem with My Lawyer? (Also available in Chinese and Korean)
- What Should I Know Before I Rent?

**California Courts Online Self-Help Center (Centro de Ayuda de las Cortes de California)**  
(<http://www.courtinfo.ca.gov/selfhelp> and (<http://www.courtinfo.ca.gov/selfhelp/espanol/>):

- Traffic Information
  - Informacion de trafico
- Families and Children Information
  - Informacion de Familias y Ninos
- Free and Low-cost Legal Help Information
  - Informacion de Ayuda Legal Gratis y de Bajo Costo
- Small Claims Information
  - Informacion de Reclamos Menores
- Information on Protection from Abuse (Restraining Orders, Child Abuse, Domestic Violence, Elder/Dependent Abuse, Civil Harassment Restraining Orders, Workplace Violence)
  - Informacion de Prevencion del Maltrato (Violencia en el hogar, ordenes por restriccion por acoso civil, abuso de ancianos, violencia en el trabajo)
- Senior and Elder Information
  - Informacion del Ancianos
- Additional topics: Name Change, Landlord/Tenant issues, Victim Assistance, Appeals, Disabilities, California and Federal Taxes, Criminal Law, Bankruptcy, Employment Discrimination, and Immigration Law.
  - Mas Temas: Como cambiar de nombre o de sexo, Propietario/Inquilino, Discapacidades, Apelaciones, Impuestos en California, Derecho penal, Problemas de deudas/bancarotta, Discriminacion en el empleo, Impuestos federales, y Ley de inmigracion)

**Domestic Violence Information and Translated Forms:**

- Chinese (<http://www.courtinfo.ca.gov/selfhelp/protection/dv/documents/chlist.pdf>)
- Vietnamese (<http://www.courtinfo.ca.gov/selfhelp/protection/dv/documents/vietlist.pdf>)
- Korean (<http://www.courtinfo.ca.gov/selfhelp/protection/dv/documents/korlist.pdf>)

**Additional Multilingual Legal Resources:**

- [www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)
  - Legal guidance and resources available in: Amharic, Arabic, Armenian, Bengali, Bosnian, Cambodian/Khmer, Chinese, Farsi, French, Greek, Gujarati, Hebrew, Hindi, Hmong, Japanese, Korean, Kurdish, Laotian, Polish, Portuguese, Punjabi, Russian, Samoan, Somali, Spanish, Tagalog, Thai, Turkish, Urdu, and Vietnamese.